



**MINUTES OF MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 14, 2003, 8:00 p.m.

MEETING

The Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Dowling.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR Cooper
Absent: None

PRESENTATION: Pride in Hayward Award

Mayor Cooper presented the Pride in Hayward Awards to the following Tennyson/Alquire neighborhood residents: Inocensio and Moraima Pastrana, Ramiza and Mahrum Khalik, Adrian and Lillian Jung, Sammy and Angela Redden, and Roberto and Anita Eramel. She thanked all of these people for taking pride in their homes and making Hayward a more beautiful City in which to live.

PUBLIC COMMENTS

Jason Moreno discussed the Fiscal Crisis Management Team (FICMAT) Special School Board Meeting held earlier in the day. He reported that the meeting would be televised on the cable channel at 10:00 p.m., and again next Monday at 9:00 p.m.

Barbara Swarr displayed an article from the Daily Review related to the City's budget and made comments related to projects in the Redevelopment Area.

Francisco Abrantes reported mattresses blocking a City right-of-way in his neighborhood.

CONSENT

Consent Item 3 was removed for discussion.

1. Approval of Minutes of the City Council Meeting of October 7, 2003

It was moved by Council Member Hilson, seconded by Council Member Henson, and unanimously carried to approve the minutes of the City Council Meeting of October 7, 2003.

2. Tentative Map Tract 7315 - Request for a 12-Month Extension of the Tentative Map to Subdivide a 1± Acre Parcel into 9 Single-Family Parcels American Housing P.M.C. (Applicant), Dinesh and Rashmi Sawhney (Owners) - The Property is Located at 571 Harris Road

Staff report submitted by Development Review Engineer Gaber, dated October 14, 2003, was filed.

It was moved by Council Member Hilson, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 03-134, "Resolution Approving a 12-Month Extension to Tentative Map Tract 7315, of American Housing P.M.C. (Applicant) and Dinesh and Rashmi Sawhney (Owners), for a Project Located at 571 Harris Road"

3. Resolution Adjusting the Employer Medical Contribution Rate for Employees and Certain Retirees of the Hayward Police Officers Association

Staff report submitted by Employee Benefits Administrator Baldinelli, dated October 14, 2003, was filed.

Council Member Hilson asked for clarification on the draft resolution, which was corrected.

It was moved by Council Member Hilson, seconded by Council Member Jimenez, and unanimously carried to adopt the following:

Resolution 03-136, "Resolution Adjusting Employer Contribution for Subject Members of the Hayward Police Officers' Association Covered Under the Public Employees' Medical and Hospital Care Act"

4. Sanitary Sewer Replacement at Various Locations - Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated October 14, 2003, was filed.

It was moved by Council Member Hilson, seconded by Council Member Henson, and unanimously carried to adopt the following:

Resolution 03-135, "Resolution Approving Plans and Specifications for the Sanitary Sewer Replacement at Various Locations Project, Project Nos. 7581, 7589, and 7511"

LEGISLATIVE BUSINESS

5. Consideration of Prevailing Wage Resolution

Staff report submitted by City Manager Armas, dated October 14, 2003, was filed.



**MINUTES OF MEETING OF THE CITY
COUNCIL OF THE CITY OF HAYWARD**
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, October 14, 2003, 8:00 p.m.

City Manager Armas explained the history of the issue and described the City's position.

Mayor Cooper opened the public hearing at 8:21 p.m.

Barry Luboviski, Building Trades Council, described historically the prevailing wage. He asked for a policy in support of this, which would assist trade unions at the court level. He indicated that the recommended City draft resolution could be used by the opposing side. He felt that the City needs to emphasize that this is a statewide concern. He asked members to support the Building Trades resolution, Resolution #1, which had been supported and endorsed by a number of other cities in the Bay Area. He then answered questions from Council Members regarding activities throughout the State.

Mike Dunlap, representing operating engineers, stated that the City's draft resolution would only align the City of Hayward with opponents in a lawsuit.

Gary Canepa, representing Electrical Contract Workers, said his office is charged with leveling the playing field with regard to employers and employees. He emphasized that this is a statewide concern.

Andrew Slivka, Carpenters Union #713, emphasized that prevailing wage is a big concern and spoke in support of the Building Trades' resolution.

Tim Cruser, Carpenters Union, spoke in support of the Building Trades resolution.

Matt Maloon, Business Representative for the Electrical Workers Union, spoke in favor of leveling the playing field for contractors. Prevailing wage promotes apprenticeship programs and is a key issue for public policy.

Bob Perry emphasized his support for the Building Trades' resolution as well.

Jason Moreno spoke against the resolution discussing quality versus quantity.

Mayor Cooper closed the public hearing at 8:49 p.m.

Mayor Cooper commented on her understanding of Council's position.

Council Member Ward commented on the resolution submitted by the Building Trades. He asked whether this resolution would have to be modified in order to make it compatible with City of Hayward's policies.

City Manager Armas explained that there would not need to be any changes made to it. He noted that the new resolution emphasized that prevailing wage is more of a statewide concern.

Council Member Rodriquez noted that her family was strongly pro-union and that she has to be careful not to let her inclination affect her position. She said she was comfortable with the Building Trades resolution. She noted that the State is in crisis and the budget is in crisis. When this occurs, labor loses.

Council Member Henson noted his own level of hesitancy due to the State usurping cities governance. He indicated that he supports the labor resolution, given the uniqueness of the situation.

It was moved by Council Member Ward, seconded by Council Member Dowling, and unanimously carried to adopt the following:

Resolution 03-137, "Resolution Reaffirming the City of Hayward's
Commitment to Upholding Prevailing Wage Law Requirements"

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 9:04 p.m. in memory of Charles "Chuck" Breeden, a City employee who passed away on Sunday, October 12, 2003. Funeral services are scheduled for Saturday, October 18 at 2:00 p.m. at the Assumption Church at 1100 Fulton Avenue in San Leandro. Chuck was 46-years old and had worked in the Equipment Management Division for 20 years. Chuck is survived by his wife Cindy, who is the Literacy Program Coordinator at the Hayward Library, and two children, Jennifer, age 17 and Nick, age 13.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward